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8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

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11 BRENDA M. JOHNSON,

12 Plaintiff,

13 v.

14 TERRY LEE REMBERT, et. al.,

15 Defendants.

CASE NO. 19-5529

ORDER ADOPTING REPORT AND  
RECOMMENDATION AND  
DENYING APPLICATION TO  
PROCEED *IN FORMA PAUPERIS*

16 THIS MATTER comes before the Court on the Report and Recommendation of U.S.  
17 Magistrate Judge Theresa L. Fricke. Dkt. 8. The Court has considered the Report and  
18 Recommendation, the Plaintiff's objections and the remaining file.

19 The Report and Recommendation (Dkt. 8) should be adopted and the Plaintiff's  
20 application to proceed *in forma pauperis* (Dkt. 1) should be denied. The Plaintiff's objections  
21 are without merit. They do not provide adequate grounds to grant the application to proceed *in*  
22 *forma pauperis* over the recommendations in the Report and Recommendation.

23 The Plaintiff should be ordered to pay the \$400.00 filing fee by November 22, 2019 or  
24 the case will be dismissed without prejudice.

1 It is **ORDERED** that:

- 2 • The Report and Recommendation (Dkt. 8) **IS ADOPTED**;
- 3 • The Plaintiff's Application to Proceed *In Forma Pauperis* (Dkt. 1) **IS DENIED**;
- 4 • On or before **November 22, 2019**, the \$400.00 filing fee **IS DUE**; Failure to pay
- 5 the filing fee by November 22, 2019 will result in dismissal of the case without
- 6 prejudice.

7 The Clerk is directed to send uncertified copies of this Order to all counsel of record and

8 to any party appearing *pro se* at said party's last known address.

9 Dated this 12<sup>th</sup> day of November, 2019.

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11 ROBERT J. BRYAN  
12 United States District Judge

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